

REGULAR BOARD MEETING  
WEDNESDAY, OCTOBER 23, 2019  
1:30 P.M.

**ROLL CALL**

The roll was called showing all members present except Mrs. Babbitt Henry (Springwater).

**PLEDGE OF ALLEGIANCE**

The Chairman of the Board introduced Tony Gurak:

Tony Gurak was born in Auburn, New York and a graduate of Geneseo High School. Tony enlisted in the United States Air Force on September 3, 1965 and served honorably until his discharge on January 15, 1969 at the rank of Staff Sergeant, E-5.

Tony completed basic training at Lackland Air Force Base in Texas and completed Jet Over Two Mechanic School at Chanute Air Base in Champaign County Illinois. He was a certified B-52 Crew Chief with the Seventh Bomb Squadron, 70th Bomb Wing, and 8th Air Force out of Clinton-Sherman Air Force Base in Oklahoma. His unit would go Temporary Duty to Kedina (K-ah-dee-na) Air Force Base in Okinawa, Japan. He was the first crew chief along with his unit to be awarded the Golden Bomber Crew Award. For his military service Tony received the Air Force Good Conduct Medal, Vietnam Service Medal, and National Defense Service Medal.

Upon completion of his military service, Tony started working with Lucidal Chemical in Piffard. He worked several jobs before working 37 years with Castle in Rochester, from which he retired, selling and working with hospital equipment. He currently resides in Geneseo where he is an active community member with both American Legion Post 271 and VFW Post 5005 where he was previous Post Commander. He is currently serving on the planning committee for the Livingston County Veteran Monument dedication ceremony this Veteran's Day on November 11th at 2:30pm at Hampton's Corners.

Tony Gurak, led the Pledge of Allegiance.

Chairman LeFeber, on behalf of the Livingston County Board of Supervisors, presented a Certificate of Appreciation to Tony Gurak. The audience presented a standing ovation.

**APPROVAL OF MINUTES**

Minutes of 10/9/19 Regular Meeting were approved as presented.

**COMMUNICATIONS**

1. The next Conversation with the County will be on Tuesday, November 12, 2019--6:00 p.m. at the Leicester Town Hall.
2. Receipt of notifications from the Villages of Avon, Caledonia, Dansville, Leicester, Mt. Morris & Nunda requesting the County Treasurer collect delinquent village taxes for the year 2019-2020.

**INTRODUCTION OF LOCAL LAW**

**1. INTRODUCTION OF LOCAL LAW NO. B-2019 IMPOSING A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF LIVINGSTON**

Be it enacted by the Board of Supervisors of the County of Livingston as follows:

**Section 1. Imposition of Tax**

For the period beginning January 1, 2020 and ending December 1, 2022, there is hereby imposed, in the County of Livingston, a tax of \$0.25 for each \$100.00, and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within the County of Livingston and recorded on or after January 1, 2020 and a tax of \$0.25 on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than \$100.00.

**Section 2. Applicability**

The taxes imposed under the authority of this Article shall be administered and collected in the same manner as the taxes imposed under Subdivision 1 of Section 253 of the Tax Law and Paragraph (b) of Subdivision 1 of Section 255 of the Tax Law.

**Section 3. Additional Taxes**

A tax imposed pursuant to this Article shall be in addition to the taxes imposed by Section 253 of the Tax Law.

**Section 4. Real Property Located in More Than One County**

Where real property covered by the mortgage subject to the tax imposed pursuant to this Article is situated in the State of New York but within and without the County of Livingston, the amount of such tax due and payable to the County shall be determined in a manner similar to that prescribed in Paragraph 1 of Section 260 of the Tax Law. Where such property is situated within and without the County imposing such tax the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed herein.

**Section 5. Disposition of Taxes**

Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the County of Livingston during each month upon account of the tax imposed pursuant to this local law, after deduction of the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth day of each succeeding month to the treasurer of the County of Livingston and, after the deduction by such treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the County of Livingston for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving same as provided by the determination of said Commissioner of Taxation and Finance.

**Section 6. Payment of Tax**

The tax imposed pursuant to this Article shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the County of Livingston, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Article, as required by Subdivision 3 of Section 253-I of the Tax Law. It shall be the duty of such recording officer to endorse upon each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt for such tax endorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

**Section 7. Effective Date**

This local law shall take effect on the first day of January 2020, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at least 30 days prior to such date. Certified copies of this local law shall also be filed with the Livingston County Clerk, the Secretary of State, and the State Comptroller within five (5) days after the date it is duly enacted.

Chairman LeFeber asked the County Attorney to comment on the local law.

County Attorney Shannon Hillier explained that the County currently collects 1% mortgage tax when a mortgage is filed with County Clerk. The 1% tax is based upon the mortgage amount being placed on record. This local law would increase the tax to 1.25% with the added .25% being revenue for the County to assist with unfunded state mandates.

**ABSTRACT OF CLAIMS**

**RESOLUTION NO. 2019-353      APPROVING ABSTRACT OF CLAIMS #10B-OCTOBER 23, 2019**

RESOLVED, that the Livingston County Board of Supervisors approves the Abstract of Claims #10B dated October 23, 2019 in the total amount of \$5,056,959.64.

Dated at Geneseo, New York

October 23, 2019  
Ways and Means Committee

**PRIVILEGES OF THE FLOOR**

**1. ANNA KOWALCHUK, MUSEUM ADMINISTRATOR  
- LIVINGSTON COUNTY HISTORICAL SOCIETY UPDATES**

Ms. Kowalchuk thanked the Board of the Supervisors, the Historical Society Board and the community for all of their support. Ms. Kowalchuk reviewed the presentation of the current Museum building projects and programs going on now and planned for the future. The Capital Campaign this spring was very successful. Ms. Kowalchuk showed many photos of different views of the construction project. Events and programs are still functioning during construction. Ms. Kowalchuk reviewed the many successful programs held in recent months. There is a new exhibit with a specimen from The Big Tree now completed. The Our Towns exhibit has been updated with new stories and objects from each town and eight objects from the County. A Heber C. Kimball pottery piece was just discovered and has been authenticated. There are two anthropology students doing a site dig this year. The Museum's collaborations continue to grow and they want to keep that going. There are many community and student volunteers helping out with stuffing and mailings. Ms. Kowalchuk explained that they will continue to provide quality programming, get control of all the objects moved around during construction, to grow social media and Instagram. They will be adding improved parking between the Museum and Christ Community Church. A salt mine exhibit is planned for the future.

**2. JASON PARKER, DIRECTOR, INFORMATION & TECHNOLOGY SERVICES  
- DEPARTMENTAL UPDATES**

Mr. Parker reviewed the ITS departmental projects over the past year and updates to County equipment and technology. Mr. Parker reviewed the completed projects for storage, network cable, EOL fiber ring switch infrastructure, video surveillance software, EOL phone system, BOE FireEye intrusion detection system and the Water and Sewer Authority migration of data from the County system. Mr. Parker also reviewed the ERP system module work being done over the past year and explained that sessions are now moving forward toward the HR/Payroll go live date. The Laserfiche RIO Implementation has had over 1,084,410 scanned pages input. Mr. Parker reviewed the active projects planned, specifically the focus on threat detection and security at the County and the Towns. Mr. Parker reviewed the continued work transitioning from the AS400 system. There was discussion on the Shield Act and Mr. Parker will send what information he has on to the Supervisors.

**PREFERRED AGENDA REQUIRING ONE ROLL CALL VOTE**

**RESOLUTION NO. 2019-354 CONCLUDING CELEBRATION OF THE LIVINGSTON COUNTY VETERANS CENTENARY THROUGH DEDICATION OF THE LIVINGSTON COUNTY MONUMENT**

WHEREAS, the Livingston County Board of Supervisors recognized the service of Veterans for 100 years on November 11, 2019 designating November 11, 2018 as the commencement of the Veterans Day Centennial Commemorations culminating on Veterans Day, November 11, 2019 by Resolution No. 2018-366; now, therefore, be it

RESOLVED, by the dedication ceremony of the Livingston County Veteran Monument to all veterans that call Livingston County their home, the Livingston County Board of Supervisors does hereby recognize the service of veterans for 100 years in celebratory fashion concluding the Centennial Commemorations on Veterans Day, November 11, 2019.

Dated at Geneseo, New York  
October 23, 2019  
Human Services Committee

**RESOLUTION NO. 2019-355 PROVIDING FOR PUBLIC HEARING ON PROPOSED LIVINGSTON COUNTY BUDGET FOR 2020 PURSUANT TO SECTION 359 OF THE COUNTY LAW**

RESOLVED, that the Livingston County Board of Supervisors, pursuant to Section 359 of the County Law, will hold a public hearing on the proposed Livingston County Budget for the fiscal year 2020 at 1:35 p.m. on Wednesday, November 20, 2019 in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York, and, be it further

RESOLVED, that the Clerk of the Board will cause a Notice of Public Hearing to be published in the official newspapers of the County in a manner required by Section 359 of the County Law.

Dated at Geneseo, New York

October 23, 2019

Ways and Means Committee

**RESOLUTION NO. 2019-356 PROVIDING FOR PUBLIC HEARING ON PROPOSED LOCAL LAW NO. B-2019 IMPOSING A MORTGAGE RECORDING TAX WITHIN THE COUNTY OF LIVINGSTON**

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on October 23, 2019, a proposed Local Law entitled Local Law No. B-2019 Imposing a Mortgage Recoding Tax Within the County of Livingston, it is hereby

RESOLVED, that a public hearing shall be held on the said proposed Local Law by this Board on the 20<sup>th</sup> day of November, 2019 at 1:35 p.m. in the Board of Supervisors Assembly Room in the Livingston County Government Center in the Village of Geneseo, New York and at least six (6) days notice shall be given by posting thereof on the bulletin board of the Government Center in this County and by publishing such notice at least one (1) time in the official newspapers of the County as provided by law.

Dated at Geneseo, New York

October 23, 2019

Ways and Means Committee

**RESOLUTION NO. 2019-357 APPOINTING MEMBERS TO THE LIVINGSTON COUNTY LAND BANK CORPORATION BOARD- DANIEL PANGRAZIO, IAN COYLE, WILLIAM BACON, AMY DAVIES, ANGELA ELLIS, WILLIAM FULLER & SHANNON HILLIER**

RESOLVED, that the following members be appointed to the Livingston County Land Bank Corporation Board of Directors for two-year terms:

Name	Address	Rep./Title	Term Expires
Daniel Pangrazio	531 Feeley Road, Caledonia, New York 14423	Member	4/16/21
Ian Coyle	6534 Florence Lane, Livonia, New York 14487	Member	4/16/21
William Bacon	25 Crestwood Circle, Dansville, New York 14437	Member	4/16/21
Amy Davies	11 Melodee Lane, Nunda, New York 14517	Member	4/16/21
Angela Ellis	4994 Lima Road, Geneseo, New York 14454	Member	4/16/21
William Fuller	5121 Reservoir Road, Geneseo, New York 14454	Member	4/16/21
Shannon Hillier	PO Box 263, Nunda, New York 14517	Member	4/16/21

Dated at Geneseo, New York

October 23, 2019

Ways and Means Committee

**PREFERRED AGENDA VOTE**

There being no further discussion on the foregoing resolutions, Chairman LeFeber asked for a motion to present the Preferred Agenda.

Caledonia Supervisor Daniel Pangrazio requested permission to abstain from Res. No. 2019-357.

Motion made by Mr. Wadsworth and seconded by Mr. Schuster to move the Preferred Agenda. Carried.

The roll was called as follows: Ayes-1,793; Noes-0; Abstain-Pangrazio, 137; Absent-Babbitt Henry, 79; Total 216; Adopted.

**RESOLUTIONS REQUIRING A SEPARATE ROLL CALL VOTE**

*County Administrator/Budget Officer*

**RESOLUTION NO. 2019-358 AUTHORIZING TRANSFER OF FUNDS – EMERGENCY MEDICAL SERVICES & PURCHASING**

Mr. Pangrazio presented the following resolution and moved its adoption:

RESOLVED, that the Livingston County Treasurer is authorized and directed to make the requested transfers per the Budget Amendment entries, which have been approved by the Livingston County Administrator.

Dated at Geneseo, New York

October 23, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent- Babbitt Henry, 79; Total 79; Adopted.

**RESOLUTION NO. 2019-359 APPROVING FIVE YEAR CAPITAL IMPROVEMENT PLAN**

Mr. Pangrazio presented the following resolution and moved its adoption:

RESOLVED, that the Livingston County Board of Supervisors hereby approves the Five Year Capital Improvement Plan (copy attached) as presented by the County Administrator.

Dated at Geneseo, New York

October 23, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent- Babbitt Henry, 79; Total 79; Adopted.

*County Treasurer*

**RESOLUTION NO. 2019-360      AUTHORIZING THE CHAIRMAN OF THE LIVINGSTON COUNTY BOARD OF SUPERVISORS TO SIGN THE FOLLOWING CONTRACT FOR THE LIVINGSTON COUNTY TREASURER: PHILLIPS LYTLE LLP**

Mr. Pangrazio presented the following resolution and moved its adoption:

RESOLVED, that the Chairman of the Livingston County Board of Supervisors is hereby authorized to sign the following contract for the Livingston County Treasurer, and any future amendments to said contract, according to the term designated, subject to review by the County Attorney and County Administrator:

<u>Contractor</u>	<u>Term</u>	<u>Amount</u>
<b>Phillips Lytle LLP</b>	2018 in rem proceeding	\$358.00 per parcel

1400 First Federal Plaza

Rochester, New York 14614

For: Foreclosure for 2018 – tax year

<i>Funding Source</i>	<i>Local Share</i>	<i>Budgeted?</i>
N/A	0%	Yes

Dated at Geneseo, New York

October 23, 2019

Ways and Means Committee

The roll was called as follows: Ayes-1,930; Noes-0; Absent- Babbitt Henry, 79; Total 79; Adopted.

*Personnel*

**RESOLUTION NO. 2019-361      AMENDING THE 2019 SALARY SCHEDULE: SHERIFF'S OFFICE**

Mr. Pangrazio presented the following resolution and moved its adoption:

RESOLVED, that the 2019 Salary Schedule is amended as follows:

**Sheriff's Office:**

- Create one full-time Victim/Witness Assistance Coordinator position at an annual salary of \$60,475.00 on the Department Head Salary Schedule.

Dated at Geneseo, New York

October 23, 2019

Ways and Means Committee

Portage Supervisor Ivan Davis requested permission to abstain from Res. No. 2019-361.

The roll was called as follows: Ayes-1,901; Noes-0; Abstain-Davis, 29; Absent-Babbitt Henry, 79; Total 108; Adopted.

**OTHER BUSINESS**

Portage Supervisor Ivan Davis reported that youth hunting is down over 15% from last year. In 1977 the average hunter was 27. Today the average hunter is almost 60. Mr. Davis asked that the Supervisors encourage young people to get off the computers and into the woods.

**ADJOURNMENT**

Motion made by Mr. Pangrazio and seconded by Mr. Mahus to adjourn until Wednesday, November 20, 2019 at 1:30 p.m. Carried.

The Board adjourned at 2:10 p.m.